4772

BILL NO. Z-78-09- 11

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-22.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. Q-22, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly, to wit:

Lot Number 1 and Lot Number 2 in Perry-s Suburban Addition, according to the recorded Plat thereof.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock _____ M.,E.S.T.~~

DATE: 5-12-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES					
BURNS					
HINGA					
HUNTER					
MOSES					
NUCKOLS					
SCHMIDT, D.					
SCHMIDT, V.					
STIER					
TALARICO					

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19__.

ATTEST: (SEAL)

_____
CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19__, at the hour of _____ o'clock _____ M.,E.S.T.

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 19__ at the hour of _____ o'clock _____ M.,E.S.T.

_____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 12, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-09-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 23, 1978.

Certified and signed this
26th day of October, 1978.

Luben Lazoff

Luben Lazoff
Secretary

Bill No. Z-78-09-11

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. Q-22

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance withdraw PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

11-14-78
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine

RECEIPT Date 11 Aug 1978 No. 10616

Received From Wm Swift

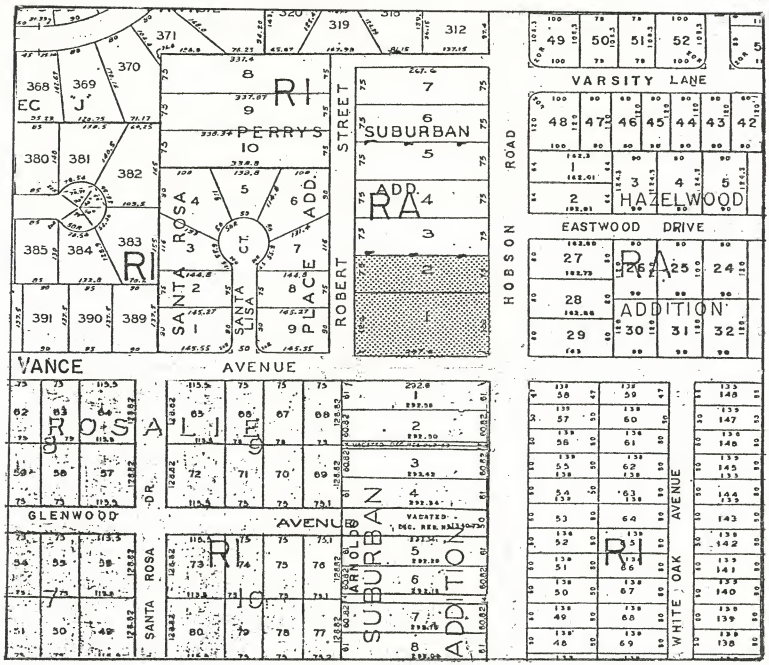
Address 590 Lincoln Tower

fifty & 00/100 Dollars $ 50.00

For Rezoning R-1 to R-3

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK 6513		
BALANCE DUE			MONEY ORDER		

By



REZONE FROM R1 TO R3

MAP NO. Q-22

Z-78-09-11

BY M.F.C. 8-14-78

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use Multi-family

~~I~~/We E. O. Swinford and Marguerite D. Swinford
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/~~an~~ R-1 district to a/~~an~~ R-3 district the property described as follows:

Lot Number 1 and Lot Number 2 in Perry's Suburban Addition, according to the recorded Plat thereof;

(Legal Description)

(General Description for Planning Staff Use Only)

~~I~~/We, the undersigned, certify that I~~am~~/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
E. O. Swinford	3111 Hobson Road Fort Wayne, IN	By: William D. Swift, Attorney for E. O. Swinford and Marguerite D. Swinford
Marguerite D. Swinford	3111 Hobson Road Fort Wayne, IN	

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
William D. Swift, Attorney	590 Lincoln Tower Fort Wayne, IN 46802	423-4422

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

HIGGINS, SWIFT & WEINRAUB
A PROFESSIONAL CORPORATION
ATTORNEYS & COUNSELORS AT LAW

FRANK A. HIGGINS (1976)

WILLIAM D. SWIFT
CHARLES J. WEINRAUB
W. MICHAEL HORTON
GEORGE N. BEWLEY, JR.
CRAIG R. FINLAYSON

DOWNTOWN OFFICE:
520 LINCOLN TOWER
FORT WAYNE, INDIANA 46802
(219) 423-4422

GEORGETOWN OFFICE:
6560 E. STATE BLVD.
FORT WAYNE, INDIANA 46815
(219) 493-4537

November 3, 1978

Office of the Clerk
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Re: Bill No. Z-78-09-11

Gentlemen:

On October 26, 1978, the City Plan Commission forwarded to you their recommendation on the captioned bill. Please be advised that we would like to withdraw our petition at this time.

Yours very truly,

William D. Swift

William D. Swift

WDS/ssd

4112

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-09-11

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot Number 1 and Number 2 in Perry's Suburban Addition, according to the recorded Plat thereof;

EFFECT OF PASSAGE Property is now zoned "R1" District - One Family Residential. Property will become "R3" District - Multiple Family Residential.

EFFECT OF NON-PASSAGE Property will remain "R1" District - One Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)_____

ASSIGNED TO COMMITTEE (J.N.)_____